IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1497 of 2003 (S/S)

1. Umed Singh
   S/o late Sri Bachan Singh Rauthan
2. Km. Reeta Uniyal
   D/o Sri B.D. Uniyal

…….. Petitioners

Versus

1. Hemwati Nandan Bahuguna Garhwal University
   through Registrar, Hemwati Nandan Bahuguna
   Garhwal University, Srinagar Garhwal.
   District Pauri Garhwal.
2. Head of the Department of Zoology,
   Hemwati Nandan Bahuguna Garhwal University
   Srinagar - Garhwal.
3. State of Uttaranchal
   through Secretary Education, Dehradun.

…….. Respondents

None for the petitioners.
Mr. Harendra Belwal, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioners.

Learned Standing Counsel for the State is present.

2) By means of this writ petition, petitioner No. 1, a Technical Assistant and petitioner No. 2, a Secretarial Assistant, engaged on fixed pay scale with Hemwati Nandan Bahuguna Univeristy, Srinagar (Garhwal), have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4***

Supreme Court Cases page 01, that daily wage workers or the persons employed without undergoing regular selection process under the rules, should not be directed to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order, if any, stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: December 11, 2006
H. Negi